



Attorney Docket: 1892/47565  
PATENT

3635  
10/30/01  
T.M.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BUNICHI SHOJI  
Serial No.: 09/245,720 Group Art Unit: 3635  
Filed: FEBRUARY 08, 1999 Examiner: BETH STEPHAN  
Title: A TRUSS STRUCTURE, STRUCTURAL MEMBERS THEREOF,  
AND A METHOD OF MANUFACTURE THEREFOR

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

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Sir:

In response to the Office Action mailed on or about September 26, 2001,  
Applicant herewith provisionally elects with traverse claims 1-5 and 8 (I).

Reconsideration of the restriction requirement is requested on the grounds  
that the Patent and Trademark Office has not set forth a *prima facie* case of  
independence and/or distinctness. In particular, the Office Action does not  
demonstrate with sufficient evidence that the inventions are distinct within the  
meaning of MPEP §806.05(f) in terms of a "materially" different product or  
process. The statement that the flat section of the connection part may be  
formed by hammering rather than by a die does not set forth a case of  
materiality within the meaning of the MPEP.

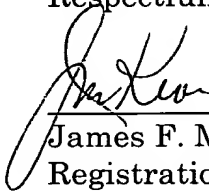
Accordingly, reconsideration and early and favorable action upon all the  
claims in this application are earnestly solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #1892/47565).

Respectfully submitted,

October 26, 2001

A handwritten signature in dark ink, appearing to read "J. McKeown", is written over a horizontal line.

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